

City of Cincinnati

GWM

JOHNSON

An Ordinance No. 241

- 2010

MODIFYING the provisions of Title V, "Traffic Code," of the Cincinnati Municipal Code for the purpose of including provisions for bicycle transportation safety by amending Section 506-61, "Driving in Marked Lanes," Section 506-71, "Overtaking and Passing," Section 506-84, "Turning at Intersections," and Section 508-1-A, "Unauthorized Stopping and Parking"; **REPEALING** Section 506-86, "Left Turns"; and further **ENACTING** new Section 511-34, "Opening and Closing Vehicle Doors," and Section 512-29, "Bicycle Safety Violation Penalties."

WHEREAS, Council wishes to promote bicycling as a healthy, sustainable and inexpensive form of transportation and recreation; and

WHEREAS, the changes to traffic laws made by this ordinance will encourage drivers and bicyclists to share Cincinnati roadways in a safe and efficient manner; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 506-61 of the Cincinnati Municipal Code is hereby amended as follows:

Sec. 506-61. - Driving in Marked Lanes.

Wherever any roadway has been divided into two or more clearly marked lanes for traffic, or wherever traffic is lawfully moving in substantially continuous lines in the same direction, the following rules, in addition to all others consistent herewith, shall apply.

- (a) A vehicle shall be driven as nearly as practicable entirely within a single lane or line of traffic and shall not be moved from such lane or line until the driver has first ascertained that such movement can be made with safety.
- (b) Official signs may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of such signs.
- (c) Whenever a lane has been designated for left turns from either direction by signs, markings, or other traffic control devices, it shall be used for that purpose only and the driver of a vehicle entering the lane to make a left

turn shall exercise due care to avoid colliding with vehicles lawfully within or about to enter the lane.

- (d) Except for the operator of a bus entering or exiting an authorized bus stop, the driver of a motor vehicle shall not drive, unless entering or exiting a legal parking space or driveway, upon any on-street path or lane designated by official signs or markings for the exclusive use of bicycles or otherwise drive or place the vehicle in such a manner as to impede bicycle traffic on such path or lane.

Section 2. That existing Section 506-61 is hereby repealed.

Section 3. That Section 506-71 of the Cincinnati Municipal Code is hereby amended as follows:

Sec. 506-71. - Overtaking and Passing.

The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exception, and special rules hereinafter stated:

- (a) The operator of a vehicle overtaking another vehicle proceeding in the same direction shall signal to the vehicle to be overtaken and shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
- (b) The operator of a motor vehicle overtaking a bicycle proceeding in the same direction on a roadway shall leave a safe distance, but not less than 3 feet, when passing the bicycle and shall maintain that distance until safely past the overtaken bicycle.
- **1****(c) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.
- **2****(d) The operator of a vehicle overtaking and passing another vehicle proceeding in the same direction on a divided highway, a limited access highway, or a highway with four or more traffic lanes, is not required to signal audibly to the operator of the vehicle being overtaken and passed.

Section 4. That existing Section 506-71 is hereby repealed.

Section 5. That Section 506-84 of the Cincinnati Municipal Code is hereby amended as follows:

Sec. 506-84. - **3 Turning at Intersections.**

Except as otherwise provided, the driver of a vehicle intending to turn at an intersection shall do so as follows:

- (a) Approach for a right hand turn and a right turn itself shall be made as close as practicable to the right hand curb or edge of the roadway.
- (b) Approach for a left turn from a two-way roadway into a two-way roadway shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.
- (c) Approach for a left turn from a two-way roadway to a one-way roadway shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection.
- (d) Approach for a left turn from a one-way to a two-way roadway shall be made as close as practicable to the left hand curb or edge of the roadway and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center lane of the roadway being entered.
- (e) Approach for a left turn from a one-way to a one-way roadway shall be made as close as practicable to the left hand curb or edge of the roadway. The completion of this turn is to be made in the extreme left hand lane lawfully available.
- (f) When a right turn roadway has been provided between the right hand curb or edge of the roadway and a channelizing island or marked area at an intersection, it shall constitute the only legal path for right turns and shall be used for no other purpose.
- (g) The operator of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle or bicycle approaching from the opposite direction.
- (h) When a motor vehicle and a bicycle are traveling in the same direction on any roadway, the operator of the motor vehicle overtaking such bicycle traveling on the right side of the roadway shall not turn to the right in front of the bicycle at that intersection or at any alley or driveway until such vehicle has overtaken and is safely clear of the bicycle.
- (i) Whenever, by reason of the location of a bus stop, it is necessary for the operator of a bus to proceed straight through in a lane marked for a compulsory turn or whenever the operator of any vehicle which because of

its length or turning radius cannot comply with the foregoing, or who deviates from them as provided in Section 506-85, it shall be the duty of the operator to first ascertain that such movement can be made with safety and without interfering with traffic.

Section 6. That existing Section 506-84 of the Cincinnati Municipal Code is hereby repealed.

Section 7. That Section 508-1-A of the Cincinnati Municipal Code is hereby amended as follows:

Sec. 508-1-A. - Unauthorized Stopping and Parking.

No person shall stand or park a vehicle except when necessary to avoid conflict with other traffic or with the provisions of the traffic code or in compliance with the directions of a police officer or a traffic-control device, in any of the following places:

- (a) On a sidewalk, except a bicycle, or except as provided in Section 506-63;
- (b) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal;
- (c) Within 25 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signposted;
- (d) Within 10 feet of a fire hydrant;
- (e) In front of a public or private driveway;
- (f) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (g) Within 20 feet of the curbline of an intersecting roadway;
- (h) Within 50 feet of the nearest rail of a railroad crossing;
- (i) Within one foot of another parked vehicle; **4**
- (j) In front of a curb ramp**5**; and
- (k) On any on-street path or lane designated by official signs or markings for the exclusive use of bicycles.

Section 8. That existing section 508-1-A of the Cincinnati Municipal Code is hereby repealed.

Section 9. That Section 506-86 of the Cincinnati Municipal Code is hereby repealed.

Section 10. That Section 511-34 be enacted as follows:

Sec. 511-34. – Opening and Closing Vehicle Doors.

No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, including bicyclists, nor shall any person leave a door open on the side of a vehicle available to moving traffic, including bicyclists, for a period of time longer than necessary to load or unload passengers.


Section 11. That Section 512-29 be enacted as follows:

Sec. 512-29. – Bicycle Safety Violation Penalties.

Any person who violates subsection (d) of 506-61, subsection (b) of 506-71, subsections (g) or (h) of 506-84, or 511-34 shall be subject to (i) a penalty of \$150.00, or (ii) if such a violation causes a collision between a motor vehicle and a bicycle, a penalty of \$500.00.

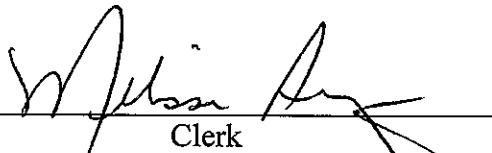
Section 12. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: June 23, 2010



Mayor

Attest:

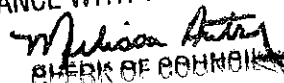


Clerk

New language underscored. Language deleted is indicated by asterisk as follows:

1(b)
2(c)
3Turns, Proper Lane
4and
5.

I HEREBY CERTIFY THAT ORDINANCE NO 241-2010
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 7-6-2010


CLERK OF COUNCIL